

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 603 of 2018

Ludro Yadav S/o Damodar Yadav Aged About 56 Years R/o-
Amritpur, Amlitika, Shahpur, District- Raigarh, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through- The Station House Officer, Police
Station- Dharamjaigarh, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajeet Kumar Yadav, Advocate
For State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

04/07/2018

1. This is anticipatory bail application filed under Section 438 of the Cr.P.C. for releasing the applicant as he apprehends his arrest in connection with Crime No. 85/2018 registered at Police Station- Dharamjaigarh, District- Raigarh (C.G.), for the offence punishable under Section 354 of IPC.
2. As per the prosecution case, on 09.04.2018 at about 10:00 a.m., when the prosecutrix taking Mahua near her house, the applicant caught her hand with intention to outrage her modesty and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated on account of some dispute with regard to collection of Mahua, therefore, the anticipatory bail may be granted to the applicant.
4. On the other hand, learned State counsel opposes the anticipatory bail application and submits that the date of incident is 09.04.2018 and report was made on the same day and broken bangles and torn blouse were seized regarding the offence therefore, it is not a fit case to grant anticipatory bail to the applicant.

5. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.
6. Looking to the fact that the report is lodged on the same day and other corroborating piece of evidence present does not appear to be a case where extraordinary jurisdiction should be invoked, I am not inclined to grant anticipatory bail in favour of the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of the Cr.P.C. is rejected.

Sd/-
(Ram Prasanna Sharma)
Judge

Arun